

FILED

DEC - 5 2005

UNITED STATES BANKRUPTCY COURT

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

In re ) Case No. 05-33037-C-7  
 )  
GRACE V. POLAND, ) MC No. MET-1  
 )  
Debtor. )

**FINDINGS OF FACT AND CONCLUSIONS OF LAW ON  
MOTION TO REDEEM COLLATERAL**

These findings of fact and conclusions of law are rendered in this contested matter pursuant to Federal Rule of Civil Procedure 52 as incorporated by Federal Rules of Bankruptcy Procedure 7052 and 9014. Evidence was taken pursuant to Federal Rule of Civil Procedure 43(e), as incorporated by Federal Rule of Bankruptcy Procedure 9017 and as invoked by Local Bankruptcy Rule 914(e).

#### Jurisdiction

Jurisdiction is founded upon 28 U.S.C. § 1334. This is a core proceeding. 28 U.S.C. § 157(b)(2)(G).

### Findings of Fact

26 A hearing was set for November 29, 2005, on debtor's  
27 motion to redeem collateral under 11 U.S.C. §722. The  
28 collateral, a 2002 Chevrolet Camaro, secures a debt owed to

1  
2 creditor Travis Credit Union. Upon review of the record, the  
3 court determined that the written record was adequate and that no  
4 evidentiary hearing was necessary because there was no timely  
5 opposition pursuant to Local Bankruptcy Rule 9014-1(f)(1) and  
6 there were no "disputed material factual issues."  
7

8                   Conclusions of Law

9                   Under 11 U.S.C. §722, a debtor may redeem consumer  
10 collateral by "cashing out" a creditor for the fair market value  
11 of the collateral. The fair market value of the collateral is  
12 determined to be \$7,810.

13                  Accordingly, the motion to redeem the collateral will  
14 be granted. An appropriate order will issue.  
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16                  Dated: December 5 , 2005

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19                  UNITED STATES BANKRUPTCY JUDGE  
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2                   **CERTIFICATE OF SERVICE**  
3

4                   On the date indicated below, I served a true and  
5 correct copy(ies) of the attached document by placing said  
6 copy(ies) in a postage paid envelope addressed to the person(s)  
7 hereinafter listed and by depositing said envelope in the United  
8 States mail or by placing said copy(ies) into an interoffice  
9 delivery receptacle located in the Clerk's Office.

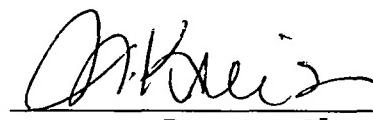
10                  Grace V. Poland  
11                  999 Marshall Rd #62  
12                  Vacaville, CA 95687

13                  Mary Ellen Terranella  
14                  1652 W. Texas St #222  
15                  Fairfield, CA 94533

16                  Prem N. Dhawan  
17                  Chapter 7 Trustee  
18                  P.O. Box 965  
19                  Benecia, CA 94510

20                  Travis Federal Credit Union  
21                  P.O. Box 2069  
22                  Vacaville, CA 95696-2069

23                  Dated: 12-6-05

24                    
25                  \_\_\_\_\_  
26                  Deputy Clerk

27  
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